



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3005586
Applicant Name: The Seneca Group for Starbucks
Address of Proposal: 501 – 1st Ave S.

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 44,000 sq. ft. five-story addition to existing administrative office building. Parking for 129 vehicles will be located in below grade garage. Determination of Non-Significance prepared by City of Seattle.

The following approval is required:

SEPA for conditioning only - Chapter 25.05, Seattle Municipal Code.
Certificate of Approval – Pioneer Square Preservation Board (SMC 23.66)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☒ DNS involving non-exempt grading, or demolition, or
 another agency with jurisdiction.¹

BACKGROUND DATA

The proposal is located on the west side of First Ave S, between the intersections of S. King and Railroad Ave S. The proposal is located in the Pioneer Square Mixed (PSM) zone and has an 85-foot height limit or 120 feet limit if residential units are included, per SMC 23.49.178. Since the proposal includes no residential uses, an 85-foot height limit is required. The immediate area is marked by structures typical of the Pioneer Square Historic District with extensive use of brick, fenestration, storefront windows at the ground floor, strong cornice lines and other similar features. The site is located north of the Flatiron Building, a structure designated as a City of Seattle Landmark, requiring concurrent review by the Historic Preservation Officer under City of Seattle SEPA Policies, SMC 25.05.675H2d. The site is located immediately to the East of an elevated portion of State Highway 99, also known as the Viaduct.

¹ The project adopts the SEPA Analysis and Determination for MUP 2001103 as the basis for conditioning, as published on April 11, 2002

A Master Use Permit for a 7-story building and five (5) levels of underground parking adjacent to this site was issued under MUP 2001103. That MUP included a proposed development that was located on 5 legal lots of record immediately to the south of the subject development. The current proposal, designed to physically link the development approved under MUP 2001103 and the existing structure located at 83 King Street, is located on one additional parcel not included in the review of that underlying MUP. The combined project, including the floor area under MUP 2001103 and the current project, will contain approximately 310,000 square feet above grade, excluding 83 King Street. The proposal assumes a substantial alteration of a one story annex to 83 King Street to accommodate the footprint of the addition.

Public Comments

Notice of the project was published on October 26, 2006. The required public comment period ended on November 8, 2006. No public comments were provided. Additional notice concerning the review of the project also occurred through the Pioneer Square Preservation Board for meetings held on September 6, September 27, November 29, and December 13, 2006 and, most recently, on January 17, 2007.

ANALYSIS – SEPA

The MUP decision under MUP 2001103 included analysis and mitigation of impacts of the proposed 7 story development and underground parking garage. The original analysis for that MUP included a structure located on 5 lots. The current project, which combines the building approved under MUP 2001103 with the 83 King Street Building, is located on the lot to the north of the original project. The current project assumes the substantial alteration of an existing two story addition to the 83 King Building (Annex) to create a five story addition that will link the 83 King Building to the original project approved under MUP 2001103. The project will also include parking under the Annex, which will be created by expanding the previously approved below grade parking garage, as well as modifying the existing garage depth. The original MUP assumed 442 parking spaces on 5 below grade parking levels. As part of the project, the amount of parking will be increased from 442 to 454 parking spaces. This will be accomplished by reducing the parking floors from 5 to 4 below grade, expanding the below grade parking areas to the combined project site, thereby moving a total of 129 parking spaces to a below grade area on all floors associated with the footprint of the Annex.

While the underlying MUP decision did not consider the expansion area above the Annex nor its alteration of the Annex, the current proposal is generally consistent with the review conducted under the original MUP review. However, to ensure that no additional impacts have occurred that were not anticipated in the underlying MUP, the applicant provided an updated traffic analysis for the revised project and reflecting current conditions, a Geotechnical Analysis showing the revised project and updated materials being considered before the Pioneer Square Preservation Board on Historic Preservation issues related to the Annex.

The Seattle SEPA Ordinance provides authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to

specific environmental impacts identified in an environmental document and may be imposed to the extent that a given impact is attributable to the proposal, and to the extent that the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required only when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA will not be necessary.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in pertinent part that “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation.” Under specific circumstances, mitigation may be required even when the Overview Policy is applicable. SMC 25.05.665(D).

The following is an analysis of those impacts that have changed as a result of the project, how the mitigation of the impacts has changed and what, if any, additional conditions are required.

Short-term Impacts

Earth/Soils

Approximately 63,000 cubic yards of excavation is proposed with the combined project. The original MUP called for excavation of 51,000 cubic yards to accommodate 5 floors of below grade parking. The combined project calls for an increase in the amount of excavation area but a reduction in the amount of below grade parking floors to 4 full floors. This is due to the creation of parking under the Annex area which was not part of the original project. As the original analysis called for compliance with the City’s Stormwater, Grading and Drainage ordinances, as well as those requirements that affect development in a Liquefaction zone, no additional impacts will occur nor additional mitigation be required from what was considered in the original MUP.

Long-term Impacts

Historic and Cultural Preservation

The current project is immediately adjacent to the 83 King Street building and includes the alteration of a two story Annex to that building. Both these structures are part of the Pioneer Square Preservation District and are contributing buildings to its designation. As such, the current project is subject to a Certificate of Approval from the Pioneer Square Preservation Board, which can be issued subsequent to the publication of this decision. The applicant has presented the combined proposal, including material, massing and detail studies of the current project, as well as how the project relates to the larger combined development linking 83 King Street to the project approved under MUP 2001103. The substantial alterations to the Annex will require removal of exterior walls, an interior floor plate and underground work to support the parking garage. Exterior walls of the Annex will be restored as a result of the development. The original project was conditioned to require review of the project prior to

issuance of a Final Certificate of Approval, which will also be required of the combined project. Accordingly, no additional review or mitigation is required.

Transportation and Traffic

Due to the revised project, which creates an additional 81,000 square feet of above-grade development not anticipated in the original MUP 2001103 decision, an update to the original traffic and parking study prepared by TDA was provided. In addition, a number of the projects assumed in the original MUP have been built, resulting in changes that required an update to the study. The original study showed significant impacts at 4 intersections as a result of the project. These intersections – James/7th, S Jackson/1st Ave S, S King/1st Ave S and S Royal Broughman/1st Ave S have generally shown significant decreases in traffic volumes of up to 300 trips at PM peak hour from what was originally anticipated.

The analysis for this combined project assumes a total office area of 288,000 square feet and 12,000 square feet of retail, excluding the below grade parking garage. As a result of the combined project, peak parking demand will increase from 483 to 608 spaces. The proposed supply will be increased from 442 spaces to 454 in the combined project. These changes result in a decrease of on site demand as a percentage from 91% to 75% met onsite. Trip generation comparisons between the original MUP and the combined project were also provided. These show that a negligible change of no more than 3 additional AM and PM peak trips will occur as a result of the combined project.

As provided in the original MUP, a Transportation Management Plan (TMP) is required for the project. The original TMP required a series of provisions to reduce parking demand and trips to the site through transit subsidies, preferred parking for High Occupancy Vehicles (HOV), onsite improvements that support HOV and Transit commuting and other such amenities for employees in the building. That TMP did not include provisions including a guaranteed ride home program, flex car, shuttle service, flex-time and telecommuting program which the project applicant provides as part of their commuting program at their other campuses. The project is conditioned under SEPA authority to provide a new TMP to account for changes in the project as well as the additional TMP components indicated as mitigating measures to address the increased peak hour trips.

DECISION - SEPA

The application is **CONDITIONALLY GRANTED.**

CONDITIONS – SEPA

Prior to the issuance of a Master Use Permit and for the life of the project/use

1. The owner and/or responsible party shall record with King County Department of Records and Elections a letter in a format similar to that in Attachment A of Director's Rule 14-2002 acknowledging all TMP requirements. A copy of the recorded document, showing the recording number, shall be filed with DPD prior to MUP issuance.
2. The owner(s) and/or responsible party(s) shall secure DPD approval of construction phase transportation and pedestrian circulation plans. These plans should consider impacts during any demolitions and during construction of the building. Appropriate Seattle Department of

Transportation (SDOT) and King County METRO participation in development of the plans shall be documented prior to DPD Land Use Division approval. The plans shall address the following:

- Ingress/egress of construction equipment and trucks
- Truck access routes, to and from the site, for the excavation and construction phases.
- Street and sidewalk closures, including locations of re-routing pedestrian movement
- Potential temporary displacement/relocation of any nearby bus stops.
- Impacts and mitigation of trips associated with construction and/or demolition activities during events at adjacent Sports Stadiums

During Construction

The following condition(s) are to be enforced during demolition/grading/construction and will be posted in a location on the property line that is visible and accessible to the public and construction personnel from the street right-of-way. If more than one street abuts the site, conditions will be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans (or with the demolition permit if it is issued separately). The placards will be laminated with clear plastic or other weatherproofing material and will remain in place for the duration of construction. It is the proponent's responsibility to ensure that the sub-contractors are informed of the conditions listed below:

3. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on weekdays between 6:30 a.m. and 7:00 a.m. and 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or successor). Such after-hours work is limited to emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g. planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon the owner(s) and or responsible party(s) providing at least three working days' notice to allow DPD to evaluate the request.

Signature: (signature on file) Date: January 25, 2007
Michael Jenkins, Senior Land Use Planner
Department of Planning and Development
Land Use Services



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